

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ALEXSAM, INC.,

Plaintiff,

v.

PIER 1 IMPORTS, INC.,

Defendant.

§
§
§
§
§
§
§
§
§

CASE NO. 2:08-CV-15

JURY VERDICT FORM

Question No. 1

Do you find that Alexsam proved, by a preponderance of the evidence, that Pier 1 infringes the following patent claims?

Answer "Yes" (for Alexsam) or "No" (for Pier 1) as to each claim:

'608 patent

Claim 34 NO

Claim 36 NO

Claim 37 NO

Claim 60 NO

'787 patent

Claim 1 NO

Please proceed to Question No. 2.

Question No. 2

Do you find that Pier 1 proved, by clear and convincing evidence, that the following claims of the '608 or '787 patents are invalid?

If you find the claims invalid, answer "Yes" (for Pier 1), otherwise, answer "No" (for Alexsam). Answer for all the claims regardless of whether you have found those claims infringed.

'608 patent

Claim 34 NO

Claim 36 NO

Claim 37 NO

Claim 60 NO

'787 patent

Claim 1 NO

Please proceed to Question No. 3 **IF AND ONLY IF** you have found at least one claim of the '608 or '787 patents is infringed and that the infringed claim is valid. Otherwise, do not answer Question No. 3. The jury foreperson should instead initial and date this verdict.

YMB

Question No. 3

Answer this question **IF AND ONLY IF** you have found at least one claim both infringed and valid.

What sum of money, if any, do you find Alexsam proved **by a preponderance of the evidence**, if paid now in cash, would fairly and reasonably compensate Alexsam as a reasonable royalty for any infringement by Pier 1 of a valid claim through the time of trial?

Answer in dollars and cents.

Answer: \$ 0

The foreperson is requested to initial and date this document in the spaces provided below as the unanimous verdict of the jury.

10-24-11
DATE


FOREPERSON INITIAL

